

WILLIAM SCHAFER.

FEBRUARY 13, 1889.—Committed to the Committee of the Whole House and ordered to be printed.

Mr. BLISS, from the Committee on Pensions, submitted the following

REPORT:

[To accompany bill S. 3150 ]

The Committee on Pensions, to whom was referred the bill (S. 3150) granting a pension to William Schaffer, have considered the same and report it back to the House with the recommendation that it do pass.

The facts of the case are well shown in the report of the Senate Committee on Pensions, as follows:

[Senate Report No. 1741, Fiftieth Congress, first session.]

William Schaffer was a member of Company I, Third United States Cavalry. He enlisted March 13, 1872, and was discharged February 12, 1873. He applied for pension for loss of right eye and injury to the left, as a result of his service. The application was disallowed by the Pension Office on the ground of the prior existence of his disability or injury to his eyes.

Two of his countrymen, and intimate acquaintances, testify that they knew him in Buffalo, that he was a constant visitor at their houses, that they have seen him at work as a gardener, have seen him in various positions under all kinds of circumstances from 1869 to 1871, inclusive, that he was sound and healthy, and had good eyesight, and they swear to what they know, and subscribe their names, Felix Ritter and John Sturm.

Dr. J. D. A. Pohle, of Buffalo, N. Y., testifies:

"I was a resident of Erfurt, Prussia, until 1847, and knew the parents of William Schaffer. About 1869 the claimant called on me and made himself acquainted with me. I knew him intimately from 1869 to 1871, inclusive. During that time I saw him several times each week. He was a sound, rugged man, worked steadily all the time, and never complained of any disability to my knowledge, and if he had anything the matter with him I should have known it. He was a gardener by occupation, and often came to my house evenings and Sundays, and always read the papers, particularly the home papers, and he appeared to have good eyes and good sight. He came to bid me good-by in 1871, and left for New York, and I afterwards heard he enlisted. I know the above facts from my personal knowledge, having seen the applicant during the time named, and being in his confidence, must have known if he had had any ailment, particularly of his eyes or eye-sight."

Henry C. Hildebrand and Catharine Sturm, both countrymen of claimant, and who knew his family in Prussia, testify to their intimacy with him in Buffalo, and say that if he had had defective sight they must have known it.

The claimant says he made application to enlist and after surgical examination he was permitted to enlist as a private in Company I, Third United States Cavalry. This was in New York. About four weeks after he was sent, with other recruits, to Fort McPherson, Nebr., to join the regiment. About three days after he joined his regiment he was examined again by the regimental surgeon. For a time his occupation was to attend drill and work in the garden. In the month of September, 1872, Company I was ordered to go out scouting. The Indians had made an attack on the settlers. This lasted three months, during which he was exposed to wet and cold, which affected his right eye, for which he was treated by the surgeon until he was discharged.

The Pension Office rejection is based upon the certificate of discharge, which names conjunctivitis and disease of the lachrymal passage, which has not originated in the service, and, in the opinion of the surgeon, "is not a case for pension."

As an offset to this conclusion there are positive statements of witnesses above quoted. In addition to this we must assume with entire confidence that the two surgeons who examined him at the time of his enlistment and after his acceptance knew what they were about and were capable of performing the important duty confided to them. To decide otherwise than that this man was sound before enlistment would be to cast unmerited reproach upon the recruiting surgeons, and the army system of obtaining soldiers. The bill is reported favorably with a recommendation that it do pass.

○